

Message Text

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PAGE 01 DUBLIN 00791 180836 Z

46

ACTION EUR-25

INFO OCT-01 ADP-00 IO-13 CIAE-00 DODE-00 PM-07 H-02 INR-10

L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12

OMB-01 RSR-01 /105 W

----- 115039

R 180745 Z JUN 73

FM AMEMBASSY DUBLIN

TO SECSTATE WASHDC 4760

INFO AMEMBASSY LONDON

AMCONSUL BELFAST

C O N F I D E N T I A L DUBLIN 0791

NOFORN

E. O. 11652: GDS

TAGS: PGOV, EI

SUBJ: INTENSIVE WORK ON CONSTITUTIONAL REFORM

REF: DUBLIN 0551

SUMMARY: GOI LEADERS NE QUIETLY WORKING ON MAJOR
CONSTITUTIONAL REVISIONS AND WILL PROBABLY ESTABLISH
ALL-PARTY COMMITTEE FOR THIS PURPOSE SOON. GOI HAS
PREPARED SPECIFIC, PROGRESSIVE WORDING, ARTICLES
OF CONSTITUTION WHICH CLAIM SOVEREIGNTY OVER NI.
INFO NOT LIKELY BE DIVULGED FOR SOME TIME, HOWEVER,
AND MUST BE PROTECTED. END SUMMARY.

1. REFTEL REPORTED IN LATE APRIL
WHAT SMALL GROUP
WITHIN NEW GOVERNING COALITION WAS DRAFTING NEW
CONSTITUTION, WHICH GOVT HOPED COORDINATE WITH OPPOSITION
AND EVENTUALLY SUBMIT TO ELECTORATE. WE HAVE BEEN
TRYING FOLLOW THIS DEVELOPMENT, AS CONSTITUTIONAL

REFORM IN REPUBLIC IS PROBABLY NEEDED FOR ANY ISLAND-
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PAGE 02 DUBLIN 00791 180836 Z

WIDE CONSENSUS ON EVOLUTION OF PEACEFUL NORTH/ SOUTH TIES.

2. ON JUNE 13, "IRISH INDEPENDENT" PUBLISHED SIMILAR INFO. LIKE OUR SOURCE IN APRIL, REPORTER EXPECTED THAT " RATHER THAN TINKER WITH 1937 CONSTITUTION, A NEW ONE WOULD BE WRITTEN AND PUT TO THE PEOPLE." PM COSGRAVE PLANNED SOON TO SET UP NEW ALL- PARTY CONSTITUTIONAL COMMITTEE, AS PREVIOUS ONE WAS CONSIDERED TO HAVE EXPIRED WITH PREVIOUS DAIL.

3. WE ASKED FOR COMMENTS FROM FONOFF SOURCE WHO IS CLOSE FO FONMIN, BUT ENTIRELY INDEPENDENT OF SOURCE FOR OUR PREVIOUS CABLE. FONOFF SOURCE TOLD US THAT HE EXPECTED FORMATION OF NEW ALL- PARTY COMMITTEE SOON AND KNEW THAT GOVT REPRESENTATIVES ON IT WOULD BE HIGH- POWERED. HE DID NOT KNOW ANYTHING YET ABOUT FIANNA FAIL REPRESENTATIVES. IN PREPARATION FOR COMMITTEE, GOVT HAS ALREADY DONE MUCH BACKGROUND WORK ON NEW CONSTITUTION AND HAS VERY GOOD IDEA OF WHAT IT WANTSHQ DO ON CONTROVERSIAL ISSUES. SOURCE SAID HE HAD BEEN IMPRESSED WITH QUANITTY AND QUALITY OF BACKGROUND WORK.

3. WE ASKED WHAT IDEAS GOI HAD ON REVISING ARTICLES II AND III OF CURRENT CONSTITUTION, WHICH ASSERT SOVEREIGNTY OVER NORTH AS WELL AS SOUTH. THIS QUESTION IS PARTICULARLY DIFFICULT, AS IT GOES TO CORE OF NATIONAL ETHOS. AT SAME TIME, ARTICLES II AND II ARE ESPECIALLY ABRASIVE TO NI PROTESTANTS, AND BRITISH WHITE PAPER IMPLIES THAT SOME MODIFICATION OF REPUBLICAN CLAIMS WILL BE NECESSARY BEFORE ESTABLISHMENT OF A COUNCIL OF IRELAND. IN PUBLIC COMMENTS, FITZGERALD HAS DECLINED GIVE ANY SPECIFIC GOI POSITION, BUT HAS INDICATED THAT HE WOULD HOPE BE AS FORTHCOMING AS POSSIBLE IN NEXT AUTUMN' S TRIPARTITE CONFERENCE BETWEEN LONDON, DUBLIN, AND BELFAST.

5. FONOFF SOURCE, ASKING US TO PROTECT INFO CAREFULLY, SAID THAT GOI HAS ALREADY WORKED OUT SPECIFIC WORDING TO REPLACE ARTICLES II AND III. (NOT CLEAR TO US
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PAGE 03 DUBLIN 00791 180836 Z

WHETHER PM COSGRAVE HAS SIGNED OFF YET.) THERE HAD EVEN BEEN SOME THOUGHT OF DISCLOSING NEW WORDING BEFORE JUNE 28 ELECTIONS FOR NI ASSEMBLY, BUT SOURCE BELIEVED DISCLOSURE WOULD IN FACT NOT BE MADE UNTIL ASSEMBLY RESULTS KNOWN. GOI DID NOT WANT PRECISE WORDING TO BECOME AN ELECTION ISSUE. FURTHER, THOUGH FITZGERALD IS HAPPY WITH NEW WORDING, HE FRANKLY FEARS THAT IRISH

VOTERS WOULD NOT APPROVE IT IF REFERENDUM HELD NOW.
HE DOES NOT WANT TO SEE HIS DRAFT DISCREDITED
BY BITTER DEBATE AFTER PREMATURE DISCLOSURE, FOR NO
IRISH GOVT IN NEAR FUTURE IS LIKELY TO BE ABLE TO GO
ANY FURTHER. WE GATHER THAT GOI SEES BETTER CHANCE
OF SELLING REWORDED ARTICLES II AND III TO PUBLIC AS
PART OF PACKAGE INCLUDING AN EFFECTIVE COUNCIL OF
IRELAND. GOI, THUS, MAY TABLE ITS PROPOSALS ONLY AS
PART OF BARGAINING PROCESS IN TRIPARTITE CONFERENCE .

6. SOURCE SAID THAT THURST OF NEW WORDING WAS TO GIVE
EFFECTIVE RECOGNITION TO
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